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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,792	05/26/2000	Roger Flores	PALM-2940.US.P	8499

7590 05/07/2004

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EXAMINER

CHUNG, DANIEL J

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 05/07/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/579,792

**Applicant(s)**

FLORES ET AL.

**Examiner**

Daniel J Chung

**Art Unit**

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-21 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Claims 1-21 are presented for examination. This office action is in response to the amendment filed on 3-11-2004.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muta (6,448,958) in view of Nagai et al (5,483,631), and further in view of Zelinsky et al (4,837,710).**

Regarding claim 1, Muta discloses that the claimed feature of in a computer system, a method of displaying information, comprising the steps of:

a) accessing a flag ["capability information"; 413] indicating a display mode of a display screen [211,220] of a computer system [210+240], wherein display mode [W/B, multi gradation, color] indicates a display capability of display screen; b) an application program [210,215] of computer system making a call ["input information", 309] to request a display attribute [i.e. color] for an object to be displayed on display screen [211,220]; c) in response to request, indexing a table [320] with flag and an object

identifier [315] to obtain a display attribute ["rendering instruction", 331], wherein object identifier identifies object, and wherein table is located in computer system externally of application program [210,215] and comprises a list of object identifiers and a plurality of display attribute lists, each of display attribute lists having a display attribute associated with each of object identifiers, wherein at least two of display attribute lists correspond to different potential display capabilities of display screen; d) application program displaying object on display screen [211,220] with display attribute [331], wherein display capability of display screen is transparent to application program. (See Abstract, Fig 3, Fig 4, Fig 6, Fig 11, col 2 line 26-47, col 13 line 17-45)

Muta does not specifically disclose that "a flag indicating a display mode of a display screen". However, using of a flag is well-known in the art to represent a information as a marker of some type used by a computer in processing or interpreting information. (See "Microsoft Computer Dictionary", third edition) Therefore, this would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to use flag into the teaching of Muta, as using of flag is advantageously desirable in Muta's system for effectively indicating "capability information."

Also, Muta does not explicitly disclose that indexing a table, which comprises a list of object identifiers and an associated display attribute lists. However, such limitations are shown in the teaching of Nagai et al ["display identifier", "attribute data" in "display data table"] (See Abstract, Fig 3, Fig 4, Fig 7, Fig 11, col 1 line 63-col 2 line 17)

It would have been obvious to one skilled in the art to include the above “display data table” of Nagai’s system into the teaching of Muta, in order to provide “the communication quantity between the network manager and the display unit can be reduced and the display unit can easily identify the corresponding component element on the communication network screen using the display identifier” (See col 7 line 1-12 in Nagai, Also See col 9 line 37-45, col 10 line 19-39), as such improvement is also advantageously desirable in the teaching of Muta for rendering optimized image upon the display device effectively.

Also, the combination of Muta and Nagai do not specifically disclose that “at least two of display attribute lists correspond to display capabilities of display screen.” However, such limitation is shown in the teaching of Zelinsky et al. [“color/attribute table”, “attribute translation table”; 4-28, which include two display attribute lists [“monochrome attributes”, “color display attributes”] corresponds to display capabilities of display screen [“monochrome screen”, “color screen”]] (See Abstract, Fig 2, Fig 3, Fig 5A-5F, Fig 6A-6E, col 1 line 40-col 2 line 27) It would have been obvious to one skilled in the art to incorporate the teaching of Zelinsky into the teaching of Muta and Nagai, in order to effectively provide proper display attribute corresponding to the display device’s type, as such improvement is also advantageously desirable in the teaching of Muta and Nagai for rendering the optimized image upon its type of display device.

Regarding claim 2, Muta discloses that plurality of display attribute lists comprise a first and a second, and wherein:

First display attribute list has all of its associated display attributes being color ["color image"]; Second display attribute list has all of its associated display attributes being monochrome ["2 gradations W/B"]. (See col 9 line 8-15)

Regarding claim 3, Muta discloses that plurality of display attribute lists comprise a third, and where third display attribute list has all of its associated display attributes being a gray scale value ["multi gradations W/B"]. (See Fig 11)

Regarding claim 4, refer to the discussion for the claim 1 hereinabove, Zelinsky et al discloses that display attribute lists has all of its associated display attributes as being colors which are substantially different from each other, such that debugging application program is facilitated. (See Fig 3, Fig 4B)

Regarding claim 5, Muta discloses that the step of application program [210] changing at least one of the display attributes in at least one of display attribute lists. (See Fig 3, Fig 11; Also See Fig 3, Fig 4, Fig 7, Fig 11 in Nagai)

Regarding claim 6, Muta discloses that the step of application program causing changes to the display attributes to remain in effect when the next application program runs. (See Fig 3, Fig 11)

Regarding claim 7, Muta discloses that the step of each time the computer system starts up, assigning a random color to each undefined color [default], such that if the application program changes one of display attributes to one of undefined colors, then the display attribute of object displayed on display screen is likely to be different each time the computer system starts up. (See Fig 3, Fig 11)

Regarding claim 8, Muta discloses that the step of a user of computer system changing display mode. (See Abstract line 1-9, col 13 line 26-32)

Regarding claim 9, Muta discloses that color table resides in an operating system of computer system. (See Fig 3, Fig 11)

Regarding claim 10, Claim 10 is the corresponding computer system of claim 1. Thus, the rejection to claim 1 hereinabove is also applicable to claim 10.

Regarding claims 11-12, Muta disclose that computer system is a portable/palm sized computer system. (See Abstract line 3)

Regarding claims 13-20, claims 13-20 are similar in scope to the claims 1-18, and thus the rejections to claims 1-18 hereinabove are also applicable to claims 13-20.

Regarding claim 21, Muta discloses that application program changes the at least one of the display attributes in the at least one of display attribute lists without user interaction ['changing color attribute data based upon capability information']. (See Fig 3, Fig 4)

**Claims 1-20 are once again rejected under 35 U.S.C. 103(a) as being unpatentable over Muta (6,448,958) in view of Rhyne (4,521,770), and further in view of Zelinsky et al (4,837,710).**

Regarding claim 1, Muta discloses that the claimed feature of in a computer system, a method of displaying information, comprising the steps of:

a) accessing a flag ["capability information"; 413] indicating a display mode of a display screen [211,220] of a computer system [210+240], wherein display mode [W/B, multi gradation, color] indicates a display capability of display screen; b) an application program [210,215] of computer system making a call ["input information", 309] to request a display attribute [i.e. color] for an object to be displayed on display screen [211,220]; c) in response to request, indexing a table [320] with flag and an object identifier [315] to obtain a display attribute ["rendering instruction", 331], wherein object identifier identifies object, and wherein table is located in computer system externally of application program [210,215] and comprises a list of object identifiers and a plurality of display attribute lists, each of display attribute lists having a display attribute associated with each of object identifiers, wherein at least two of display attribute lists correspond



to different potential display capabilities of display screen; d) application program displaying object on display screen [211,220] with display attribute [331], wherein display capability of display screen is transparent to application program. (See Abstract, Fig 3, Fig 4, Fig 6, Fig 11, col 2 line 26-47, col 13 line 17-45)

Muta does not specifically disclose that “a flag indicating a display mode of a display screen”. However, using of a flag is well-known in the art to represent a information as a marker of some type used by a computer in processing or interpreting information. (See “Microsoft Computer Dictionary”, third edition) Therefore, this would have been obvious to one having ordinary skill in the art at the time of Applicant’s invention to use flag into the teaching of Muta, as using of flag is advantageously desirable in Muta’s system for effectively indicating “capability information.”

Also, Muta does not explicitly disclose that indexing a table, which comprises a list of object identifiers and an associated display attribute lists. However, such limitations are shown in the teaching of Rhyne [“object identifier”, “color attributes” in “color look-up table”,] (See Abstract, Fig 8 -12, col 2 line 24-52, col 3 line 32-44, col 3 line 63-col 4 line 13) It would have been obvious to one skilled in the art to incorporate the teaching of Rhyne into the teaching of Muta, in order to provide “interactively executing the editing functions with a minimum of hardware alteration” (See col 2 line 15-32 in Rhyne), as such enhancement is also advantageously desirable in the teaching of Muta for rendering optimized image upon the display device effectively.

Also, the combination of Muta and Rhyne do not specifically disclose that “at least two of display attribute lists correspond to display capabilities of display screen.” However, such limitation is shown in the teaching of Zelinsky et al. [“color/attribute table”, “attribute translation table”; 4-28, which include two display attribute lists [“monochrome attributes”, “color display attributes”] corresponds to display capabilities of display screen [“monochrome screen”, “color screen”]] (See Abstract, Fig 2, Fig 3, Fig 5A-5F, Fig 6A-6E, col 1 line 40-col 2 line 27) It would have been obvious to one skilled in the art to incorporate the teaching of Zelinsky into the teaching of Muta and Rhyne, in order to effectively provide proper display attribute corresponding to the display device's type, as such improvement is also advantageously desirable in the teaching of Muta and Rhyne for rendering the optimized image upon its type of display device.

Regarding claim 2, Muta discloses that plurality of display attribute lists comprise a first and a second, and wherein:

First display attribute list has all of its associated display attributes being color [“color image”]; Second display attribute list has all of its associated display attributes being monochrome [“2 gradations W/B”]. (See col 9 line 8-15)

Regarding claim 3, Muta discloses that plurality of display attribute lists comprise a third, and where third display attribute list has all of its associated display attributes being a gray scale value [“multi gradations W/B”]. (See Fig 11)

Regarding claim 4, refer to the discussion for the claim 1 hereinabove, Zelinsky et al discloses that display attribute lists has all of its associated display attributes as being colors which are substantially different from each other, such that debugging application program is facilitated. (See Fig 3, Fig 4B)

Regarding claim 5, Muta discloses that the step of application program [210] changing at least one of the display attributes in at least one of display attribute lists. (See Fig 3, Fig 11; Also See Fig 8-12 in Rhyne)

Regarding claim 6, Muta discloses that the step of application program causing changes to the display attributes to remain in effect when the next application program runs. (See Fig 3, Fig 11)

Regarding claim 7, Muta discloses that the step of each time the computer system starts up, assigning a random color to each undefined color [default], such that if the application program changes one of display attributes to one of undefined colors, then the display attribute of object displayed on display screen is likely to be different each time the computer system starts up. (See Fig 3, Fig 11)

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Regarding claim 9, Muta discloses that color table resides in an operating system of computer system. (See Fig 3, Fig 11)

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Regarding claims 11-12, Muta disclose that computer system is a portable/palm sized computer system. (See Abstract line 3)

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Regarding claim 21, Muta discloses that application program changes the at least one of the display attributes in the at least one of display attribute lists without user interaction. ['changing color attribute data based upon capability information']. (See Fig 3, Fig 4)

### ***Response to Arguments/Amendments***

Applicant's arguments filed 3-11-2004 have been fully considered but they are not persuasive. Specifically, applicant argued that the cited references merely disclose **two separate computer systems**, as opposed to **one same computer system** in

recited claims. However, since patent office is entitled to take the broadest reasonable interpretation of any claims, the network system (i.e. server and terminal) of cited references can be considered as "a single computer system" in an analogous art, as broadly claimed by applicant. Furthermore, even if cited references only discloses two separate computer systems, it is not patentable that integrating "two separate computer systems" of cited references into "single computer system" of recited claims. (See *In re Larson*, 144 USPQ 347 (CCPA 1965)) Also, in response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. (See the rejection hereinabove) See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Chung whose telephone number is (703) 306-3419. He can normally be reached Monday-Thursday and alternate Fridays from 7:30am- 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael, Razavi, can be reached at (703) 305-4713.

Art Unit: 2672

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**


**(703) 872-9306 (Central fax)**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

djc  
May 1, 2004



**MICHAEL RAZAVI**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**